

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MEDEQUA LLC,

Plaintiff,

-against-

O'NEILL & PARTNERS LLC,

Defendant.

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**ORDER**

21 Civ. 6135 (AKH)

ALVIN K. HELLERSTEIN, U.S.D.J.:

In my order dated September 23, 2021 I held Defendant and its managing partner, Brian O'Neill, in contempt of court for failure to comply with my court orders directing him to interplead \$5.1 million, the full amount of the Escrow Funds (ECF 43). I directed the U.S. Marshal to arrest Brian O'Neill and hold him in custody until he purges himself of the contempt. In my order dated October 6, 2021 I again directed the U.S. Marshal to arrest Brian O'Neill and hold him in custody (ECF 48). After I granted O'Neill a furlough of approximately 48 hours to complete the interpleader deposit (ECF 51), he had not deposited the full amount of the Escrow Funds or provided the court with satisfactory documentation of the location of such funds. On October 14, 2021, O'Neill returned to custody, where he remains today.

To date, O'Neill has been in custody approximately eight full days and parts of another five days. Counsel for the interested parties shall appear for a hearing on October 25, 2021 at 11:30 a.m at 500 Pearl Street, Courtroom 14D. Counsel shall be prepared to address (1) whether continuing to hold O'Neill in custody will appropriately incentivize him to complete

the interpleader; and (2) if not, whether further confinement is likely to become punitive.

O'Neill shall remain in custody, pending such review.

SO ORDERED.

Dated: October 19, 2021  
New York, New York

A handwritten signature in black ink, appearing to read "Alvin K. Hellerstein", written over a horizontal line.

ALVIN K. HELLERSTEIN  
United States District Judge